REMARKS

In lieu of filing an appeal brief, and further in response to the Final Office Action mailed July 10, 2001, Applicants submit this reply and request for continuing examination, and respectfully request reconsideration. To further the prosecution of this application, Applicants have amended the claims and submit the following remarks.

Claims 1, 4-7, 9-11, 13-17 and 19-20 are pending in this application of which claims 1, 4, 5, 6, 17 and 20 are independent. Claims 1, 4-7, 9-11 and 13-17 have been amended. Claims 19-20 are new. Claims 12 and 18 have been cancelled.

The Examiner is respectfully requested to change the attorney docket number from A0521/7118 to A95003C3.

Rejection under 35 U.S.C. §112, second paragraph

Claims 5, 6, 9-11 and 18 were rejected under 35 U.S.C. §112, second paragraph. The foregoing amendments overcome this rejection.

Rejections under 35 U.S.C. §102

Claims 1, 4-7 and 9-16 were rejected under 35 U.S.C. §102 in view of U.S. Patent 5,537,157 (Washino I).

The rejection is essentially repeated from the prior office action. In addition, the Examiner has asserted that "a stored video program may be considered a sequence of segments of the still images since each stored still image may be considered a segment, i.e., a frame, and a sequence of such segments constitute a program." This interpretation of the claim language is improper for several reasons. First, claim recites "sequence of segments of the plurality of digital still images". The Examiner's interpretation of the claim language in essence equates a "sequence of segments" with the "plurality of digital still images" itself, rendering meaningless the term "sequence of segments". Such an interpretation is incorrect. Second, it is unclear how

the cited reference teaches a "means for enabling a user to specify a sequence of segments" if the sequence of segments is merely a stored video program.

Nonetheless, the independent claims 1, 4, 5, 6 and 17 have been amended to clarify that a sequence of segments of stored video data is not merely the stored video data by itself. In particular, independent claim 1, for example, has have been amended to recite that:

In further reply to the Examiner's arguments, the Applicant respectfully disagrees with the Examiner's findings about the teachings of Figs. 3 and 4 of Washino. The Examiner continues to assert that the various elements in Fig. 4 may be embodied in a camera.

However, the Examiner's findings can only be upheld if they are supported by substantial evidence. Instead, the Examiner admits that there is *no* evidence to support a finding that Washino teaches that the elements of Fig. 4 may be in the same housing as the camera. The Examiner apparently considers the *absence* of any teaching requiring the elements of Fig. 4 to be limited to a production facility as evidence of a teaching that these elements may be placed in a video camera, by stating:

> "There is *no suggestion* that the elements shown in Fig. 4 *preclude* the same kind of application as that contemplated in Fig. 3." (emphasis added).

This absence of a teaching is not substantial evidence of such a teaching.

Furthermore, in contrast, the reference is *explicit* about where editing functions should reside by stating, at Col. 8, lines 55-57:

> "Fig. 3 shows the functional diagram for the storage-device-based digital recorder employed in the video camera, *or separately in editing and production facilities*." (emphasis added).

The *only* function that is taught by Washino as residing in the video camera is the storage-device-based digital recorder. Washino teaches that the recorder also might be used <u>separately</u> in an editing and production *facility*. Washino does *not* suggest, and in fact

contradicts any suggestion, that the editing and production facility components may be in the camera.

Because the reference simply does not teach all of the elements of the claim, as would be required to support a rejection under 35 U.S.C. 102, the rejection is traversed.

Rejection under 35 U.S.C. §103 of claims 17 and 18

Claims 17 and 18 were rejected under 35 U.S.C. §103 as being unpatentable over Washino I and Japanese Patent publication 5-153448 (Morita). The rejection is essentially repeated from the prior Office Action.

Regarding claim 17, the claim recites "first" and "second encoder[s]" and "first" and "second switch[es]". Each switch has "input[s] for recieving . . . digital video information" from both the "camera" and the "random access, computer-readable and writeable medium." Thus each switch receives both "live" and "recorded" digital video information. The Examiner relied on description from Fig. 4 to support the rejection of this claim. As noted above, Washino does not teach that such structures may be in the same housing as the camera as recited in claim 17.

Claim 18 has been cancelled. Claim 17 has been amended to recite limitations of claim 18, and further amended to included limitations similar to those discussed above in connection with claims 1, 4, 5 and 6, and is allowable for the same reasons over Washino. These limitations also are not taught by Morita.

New Claims

Claim 19 is dependent on claim 17 and is allowable for the same reasons. Further, playback of recorded video information through the second encoder during playback of live video information through a first encoder is not taught by Washino or Morita.

Claim 20 is a new independent claim based on claim 5, but claim uses language found on p. 4, lines 15-20 of the specification. Accordingly, this claim is allowable for the same reasons as the other independent claims.

Conclusion

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this reply, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-0876.

Respectfully submitted,

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MARKED UP COPY OF CLAIMS AS AMENDED:

1. (Three times amended) A digital motion picture recorder, comprising:

a housing sized to be portable for use by an individual;

a camera mounted in the housing having an output for providing a full motion video signal;

a decoder, mounted in the housing, for receiving [a] the full motion video signal from the camera and for converting the full motion video signal into a [plurality] sequence of digital still images;

a digital, computer-readable and writeable random-access medium mounted in the housing, and connected [both] to receive and store [and to provide] the [plurality] sequence of digital still images from the decoder in a computer-readable file format and to provide digital still images stored thereon;

means, in the housing, for enabling the individual to capture digital still images from the decoder into a plurality of data files on the digital, computer-readable and writeable random-access medium, wherein each of the plurality of data files stores a sequence of digital still images;

an encoder mounted in the housing and having an input for receiving a sequence of digital still images, for generating as an output a full motion video signal;

a switch mounted in the housing and having a first input for receiving [the plurality] digital still images from the decoder and a second input for receiving [the plurality of] digital still images from the digital, computer-readable and writeable random-access medium, and an output connected to the input of the encoder;

an interface on the housing [responsive to a user input to cause] for causing the switch to provide one of the first and second inputs as the sequence of digital still images to the input of the encoder; [and]

means, in the housing, for enabling [a user] the individual to specify a sequence of segments of the plurality of [digital still images] data files stored on the digital, computer-readable and writeable random-access medium[,]; and

means, in the housing, for enabling the individual to initiate playback of full motion video [the sequence] through the switch and the encoder using the digital still images from the plurality of data files stored on the digital, computer-readable and writeable random-access medium according to the specified sequence of segments of the plurality of data files.

2. Previously Cancelled.

3. Previously Cancelled.

4. (Three times amended) A digital video recording device, comprising:

a portable housing;

a camera mounted on the portable housing having an output providing a video signal;

a decoder mounted in the portable housing having an input connected to the output of the camera and an output providing digital video information as a sequence of digital still images;

a random-access, computer-readable and writeable medium mounted in the portable housing and for storing digital video information from the decoder as a sequence of digital still images in a computer-readable file format and for providing digital video information stored thereon;

means, in the portable housing, for enabling a user to capture sequences of digital still images from the decoder into a plurality of data files on the random-access, computer-readable and writeable medium, wherein each of the plurality of data files stores a sequence of digital still images;

an encoder mounted in the portable housing [and providing an output video signal] and having an input for receiving a sequence of digital still images and having an output for providing an output video signal from the received sequence of digital still images;

a switch mounted in the portable housing having a first input for receiving the sequence of digital still images from the decoder and a second input for receiving the sequence of digital still images from the random-access, computer-readable and writeable medium, and an output connected to provide [the sequence] one of the received sequences of digital still images to the input of the encoder;

an interface on the portable housing [responsive to a user input to cause] for causing the switch to provide one of the first and second inputs to the input of the encoder; and

means, in the portable housing, for enabling [a] the user to specify a sequence of segments of the plurality of [digital still images] data files stored on the [digital] random-access, computer-readable and writeable [random-access] medium[,]; and

means, in the portable housing, for enabling the user to initiate playback of full motion video by [the sequence through] the encoder by providing the digital still images from the plurality of data files stored on the random-access, computer-readable and writeable medium through the switch according to the specified sequence of segments of the plurality of data files.

5. (Three times amended) A digital video recording device, comprising:

a portable housing;

a camera mounted on the portable housing having an output for providing a full motion video signal;

a [random-access,] digital, computer-readable and writeable random access medium mounted in the portable housing [and for storing digital video information corresponding to the full motion video signal];

means, in the portable housing, for enabling a user to capture digital video information corresponding to the full motion video signal into a plurality of data files in a computer readable file format on the digital, computer-readable and writeable random-access medium;

an encoder mounted in the portable housing and having a first input for receiving digital video information from files stored on the [random-access,] digital computer-readable and writeable random-access medium, a second input for receiving digital video information

corresponding to the full motion video signal from the camera and an output providing a video signal according to the first or second input;

means in the portable housing for causing the encoder to select between the first and second inputs; and

means in the portable housing for enabling [a] the user to specify a sequence of segments of the plurality of data files [digital still images] stored on the digital, computer-readable and writeable random-access medium[,]; and

means in the portable housing for enabling the user to initiate playback of full motion video by [the sequence through] the encoder by providing the digital video information from the plurality of data files stored on the digital, computer-readable and writeable random-access medium to the first input of the encoder according to the specified sequence of segments of the plurality of data files.

6. (Three times amended) A digital video recording device, comprising, in a portable housing:

[means] a camera for [receiving] providing a full motion video signal;

means for storing data [digital video information obtained from the full motion video signal];

means for enabling a user to capture digital video information corresponding to the full motion video signal into a plurality of data files in a computer readable file format on the means for storing;

an encoder having a first input for receiving [the] stored digital video information from the means for storing and a second input for receiving digital video information corresponding to the full motion video signal, and an output for providing a video signal according to either the first or second input;

means for causing the encoder to select between the first and second inputs; and

means for enabling [a] the user to specify a sequence of segments of the plurality of [digital still images] data files stored on the [digital, computer-readable and writeable random-access medium] means for storing[,]; and

means for enabling the user to initiate playback of [the sequence through] full motion video by the encoder by providing the digital video information from the plurality of files stored on the means for storing to the first input of the encoder according to the specified sequence of segments of the plurality of data files.

7. (Amended) The digital video recording device of claim 6, further comprising:

means for selectively operating the means for storing to store digital video information corresponding to the received full motion video signal as digital video information or to direct stored digital video information to the first input of the encoder.

8. Previously Cancelled.

9. (Amended) The digital video recording device of claim 6, further comprising:

a second encoder having a first input connected to receive stored digital video information from the means for storing and a second input connected to receive digital video information corresponding to the received full motion video signal, and an output for providing an output video signal according to a selected one of the first and second inputs; and

means for causing the second encoder to select from one of the first and second inputs.

10. (Amended) The digital video recording device of claim 6, further comprising:

means for receiving and for storing on the means for storing digital audio information in a plurality of data files;

an audio encoder having a first input connected to receive input audio information and a second input to receive stored digital audio information from the means for storing, and an output providing an output audio signal according to a selected one of the first and second inputs[.] ; and

means for causing the audio encoder to select from one of the first and second inputs.

11. (Amended) The digital video recording device of claim 6, further comprising:

a first bus connecting the [means for receiving the video signal] camera to the first input of the encoder; and

a second bus connecting the means for storing to the second input of the encoder.

12. Cancelled.

13. (Amended) The digital motion video recorder according to claim 1, further comprising:

a media data buffer [which receives sequences] for receiving a sequence of digital still images from the decoder and [outputs the] for providing the received sequence of digital still images to the digital, computer-readable and writeable random-access medium[,]; and [further comprising]

a processor for controlling data flow between the media data buffer and the digital, computer-readable and writeable random-access medium.

14. (Amended) The digital motion video recorder according to claim 1, further comprising:

a first pixel bus for transmitting [received sequences] a sequence of digital still images [output] from the decoder[,]; and

a second pixel bus for transmitting [sequences] a sequence of digital still images [output] from the digital, computer-readable and writeable random-access medium, wherein the first [and second] pixel [buses are both] bus is connected to the first [and second switches] input of the switch and the second pixel bus is connected to the second input of the switch.

15. (Amended) The digital motion video recorder according to claim 1, wherein the [recording] digital, computer-readable and writeable random-access medium is a disk drive having a capacity to store several minutes of sequences of digital still images.

16. (Amended) The digital motion video recorder according to claim 1, further comprising means for [receiving, digitizing and] storing digital audio [signals] information in a plurality of data files on the digital, computer-readable and writeable random-access medium, and for playing back the digital audio information in synchronization with the full motion video signal output by the encoder [signals and for selecting audio from at least one of a plurality of audio channels].

17. (Twice Amended) A digital video recording device, comprising:

a portable housing;

a camera attached to the portable housing and having an output providing live digital video information;

a display mounted on the portable housing;

a random access, computer-readable and writeable medium mounted within the portable housing [and connected to receive and store the digital video information from the camera];

means, in the portable housing, for enabling a user to capture digital video information from the camera into a plurality of data files in a computer readable file format on the random access, computer-readable and writeable medium;

a first encoder mounted within the portable housing [and providing output video information and] having an input for receiving digital video information and an output for providing output video information;

a second encoder mounted within the portable housing having an input for receiving digital video information and an output for providing an output video signal to [a] the display [mounted on the portable housing];

a first switch mounted within the portable housing and having a first input for receiving live digital video information from the camera and a second input for receiving recorded digital video information from the random access computer-readable and writeable medium, and an output connected to provide the digital video information to the input of the first encoder;

a second switch mounted within the portable housing and having a first input for receiving live digital video information from the camera and a second input for receiving recorded digital video information from the random access computer-readable and writeable medium, and an output connected to provide the digital video information to the input of the second encoder; [and]

[an interface on the portable housing responsive to user input to enable the user to control the first switch and the second switch]

means for enabling the user to specify a sequence of segments of the plurality of data files stored on the random access, computer-readable and writeable medium;

means for enabling the user to initiate playback of full motion video by the first encoder by providing the digital video information from the plurality of files stored on the random access, computer readable and writeable medium through the first switch according to the specified sequence of segments of the plurality of data files, including means for controlling the first switch; and

means for enabling the user to initiate playback of full motion video by the second encoder by providing the digital video information from the plurality of files stored on the random access, computer readable and writeable medium through the second switch, according to the specified sequence of segments of the plurality of data files, including means for controlling the second switch.

18. Cancelled.

19. (New) The digital video recording device of claim 17, further comprising:

means for setting the first switch to allow playback of full motion video from the camera by the first encoder during playback by the second encoder of the sequence of segments from the plurality of data files.

20. (New) A digital video recording device, comprising:

a portable housing;

a camera mounted on the portable housing having an output for providing a full motion video signal;

a digital, computer-readable and writeable random access medium mounted in the portable housing;

means, in the portable housing, for enabling a user to capture digital video information corresponding to the full motion video signal into a plurality of data files in a computer readable file format on the digital, computer-readable and writeable random-access medium;

an encoder mounted in the portable housing and having a first input for receiving digital video information from files stored on the digital computer-readable and writeable random-access medium, a second input for receiving digital video information corresponding to the full motion video signal from the camera and an output providing a video signal according to the first or second input;

means in the portable housing for causing the encoder to select between the first and second inputs; and

means in the portable housing for enabling the user to specify a list of portions of the plurality of data files stored on the digital, computer-readable and writeable random-access medium; and

means in the portable housing for enabling the user to initiate playback of full motion video by the encoder as a contiguous output signal by providing the digital video information from the plurality of data files stored on the digital, computer-readable and writeable random-access medium to the first input of the encoder according to the specified list of portions of the plurality of data files.